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RECEIVED
 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 MAY 7 2015
 SAN JOSE DIVISION

UNITED STATES ex rel. ELMA F. DRESSER,
 Plaintiff,

QUALIUM CORP, TARA NADER,
 ANOOSHIRAVAN MOSTOWFIPOUR, BAY
 SLEEP CLINIC, AMERIMED CORP, ACCESS
 MEDICAL CONSULTANTS INC., and DOES 1
 THROUGH 50, INCLUSIVE,
 Defendants.

No. C 12-1745 PSG

**UNITED STATES' NOTICE OF
 ELECTION TO INTERVENE;
~~PROPOSED~~ ORDER TO UNSEAL**

FILED UNDER SEAL

1. Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the United States notifies the Court that it hereby intervenes in this action against Defendants Qualiium Corporation, Tara Nader, Anooshiravan Mostowfipour, Bay Sleep Clinic, and Amerimed Corporation ("Defendants"). The United States intervenes with respect to the allegations that Defendants submitted claims for payment in violation of Medicare rules and regulations for services performed at unapproved locations; for services performed by unqualified or unlicensed personnel; and for durable medical equipment supplied to Medicare beneficiaries.

2. The United States declines to intervene as to any allegations in the Complaint that are not related

U.S. NOTICE OF ELECTION TO INTERVENE, C 12-1745-PSG

1 to the allegations that Defendants submitted claims for services performed at unapproved locations; for
2 services performed by unqualified or unlicensed personnel; or for durable medical equipment supplied
3 to Medicare beneficiaries.

4 3. This case is currently under seal through May 7, 2015, pursuant to the False Claims Act and
5 order of this Court (ECF No. 12).

6 4. The United States requests that the following be unsealed: (a) the Complaint filed by Relator,
7 Elma Dresser, on April 3, 2012; (b) the summons, if any; (c) the scheduling order; (d) this notice of
8 intervention and accompanying order; and (e) all future filings in this case. All other contents of the
9 Court's file in this matter (including, but not limited to, any applications filed by the United States for an
10 extension of the sixty-day investigative period or for any other reason) should remain under seal and not
11 be made public or served upon Defendants.
12

13 5. The United States intends to file its own complaint and serve it within 120 days (by September 4,
14 2015), as provided in Fed. R. Civ. P. 4.
15


16 6. We request that the initial case management conference be set at least one month after
17 September 4, 2015, so that the parties may have adequate time to confer after the United States'
18 complaint is filed and served, and prior to the conference.
19

20 Respectfully submitted,

21 MELINDA HAAG
United States Attorney

22 Dated: May 7, 2015

23 By:


24 KIMBERLY FRIDAY
25 Assistant United States Attorney
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~~PROPOSED~~ ORDER TO UNSEAL

Having considered the United States' Notice of Election to Intervene, IT IS HEREBY ORDERED that:

1. All current contents of the Court's file in this action shall remain under seal and not be made public or served upon the Defendants, except for the Complaint, the summons, if any, the scheduling order, this Order, and the accompanying United States' Notice of Election to Intervene, which are hereby unsealed.
2. The seal is lifted as to all matters occurring in this action after the date of this Order.
3. The United States shall promptly serve Defendants with a copy of this Order and the United States' Notice of Election to Intervene, and shall serve Defendants with the United States' complaint by September 4, 2015, in accordance with Fed. R. Civ. P. 4.

IT IS SO ORDERED.

Dated: 5/11/2015


PAUL SINGH GREWAL
United States Magistrate Judge